

## ARTICLE 7.00

# WALLS AND FENCES

### Section 7.01 -- GENERAL FENCE AND WALL STANDARDS

#### A. Permit

The erection, construction or alteration of any fence or wall up to six (6) feet in height shall require a permit issued by the Building Department, subject to compliance with the provisions of this Ordinance. The erection, construction or alteration of any fence or wall taller than six (6) feet in height shall require a building permit issued by the Building Department, subject to compliance with the provisions of this Ordinance and the City Building Code. Construction details for any wall or fence taller than six (6) feet shall be submitted to the Building Department for evaluation with the permit application.

#### B. Corner Clearance

Walls and fences shall comply with the specifications for maintenance of Unobstructed Sight Distance for drivers, Section 3.09.A(6).

#### C. Wall, Fence and Gate Materials

Walls shall be constructed of masonry material that is architecturally compatible with the materials used on the facade of the principal structure on the site, such as face brick, decorative block, or poured concrete with simulated brick or stone patterns.

Fences shall consist of materials commonly used in conventional fence construction, such as wood, metal, or vinyl. Barbed wire, razor wire or other similar security wires or materials which could easily cause injury to persons shall not be permitted. Fences that carry electric current or any fence, guard wall, or other protection upon which any spike, nail, or pointed instrument of any kind is fixed, attached or placed shall not be permitted. Barbed wire may be permitted in industrial districts, provided that the barbed wire is used only at the top of the fence and extending over the property enclosed and not over adjacent properties. The Planning Director may waive this requirement or alter the permitted material where deemed necessary.

#### D. Finished Appearance

If, because of the design or construction, one side of a fence or wall has a more finished appearance than the other, the side of the fence or wall with the more finished appearance shall face the exterior of the lot, except in the Industrial Districts.

### Section 7.02 -- OBSCURING WALLS AND FENCES

Where permitted or if specifically required by this Ordinance, obscuring walls and fences shall be subject to the requirements in this Section. An obscuring wall or fence has more than fifty (50%) percent of the vertical surface opaque so as to obstruct vision or prevent observation of activities enclosed in the fence.

#### A. Materials

All obscuring walls shall be constructed of a solid, opaque masonry material. Surface areas of any obscuring wall facing a residentially zoned district shall be constructed of brick, decorative block or similar material that is compatible with the principal buildings in the residential district. All masonry obscuring walls shall be erected on a concrete foundation approved by the Building Official. Solid fences shall be constructed of wood, vinyl, or post.

**B. Location**

Required obscuring walls and fences shall be placed inside and adjacent to the lot line except where underground utilities interfere with placement of the wall at the property line, in which case the wall shall be placed on the utility easement line located nearest the property line. All walls and fences shall comply with the specifications for maintenance of unobstructed sight distance for drivers in Section 3.09.A(5).

**C. Time of Construction**

Wherever construction of an obscuring wall or fence is required adjacent to residentially zoned or used property, the wall or fence shall be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the wall or fence, in which case the wall or fence shall be constructed as soon as feasible after construction commences. Completion of a required obscuring fence or wall shall be required for the issuance of a Certificate of Occupancy.

**D. Obscuring Wall Required**

For the following uses and districts, an obscuring wall or fence shall be provided along property lines that abut a lot in a residential district or a lot that is used for residential purposes: Commercial Districts (except D and Circle), Industrial and LCMR Districts, Community District, off-street parking, utility buildings and substations, and lots adjacent to freeways.

**E. Wall or Fence Height**

The height of the wall or fence shall be measured from the average of the natural grade at a distance from five (5) feet from each side of the wall or fence. Fill or berms shall not be permitted for the purpose of achieving a higher fence than otherwise would be permitted. Obscuring walls or fences shall meet the requirements in Table 7.1.

**Table 7.1: OBSCURING WALL OR FENCE HEIGHT**

<b>Location, Use or Zone</b>	<b>Maximum Height from Grade<sup>a</sup></b>	<b>Comments</b>
Required front or side street yard setback	4 feet	
Double frontage lots	6 feet	One side of the lot, for purposes of fence placement, may be designated as the rear yard to erect a 6 foot tall fence, so long as it adheres to the general appearance of the neighborhood, does not obstruct clear vision and is not on a corner lot.
Off-Street Parking	6 feet	
Agricultural District	6 feet	8 foot maximum height for non-residential uses. Construction details required for fences taller than 6 feet (see Section 7.01.A).
Residential District	6 feet	May not exceed 4 feet in any front yard. The front yard extends from the front property line to the front face of the principal structure.
Commercial, Office, Downtown, or Circle District	6 feet	Construction details required for fences taller than 6 feet (see Section 7.01.A).
Industrial or LCMR district	8 feet	Construction details required for fences taller than 6 feet (see Section 7.01.A).

Location, Use or Zone	Maximum Height from Grade <sup>a</sup>	Comments
Community District <sup>b</sup>	8 feet	Construction details required for fences taller than 6 feet (see Section 7.01.A).
Utility Buildings, Substations	8 feet	Construction details required for fences taller than 6 feet (see Section 7.01.A).
Schools and Parks <sup>b</sup>	6 feet	8 foot maximum height for chain link Construction details required for fences taller than 6 feet (see Section 7.01.A)
Lot lines adjacent to an expressway	12 feet	Construction details required for fences taller than 6 feet (see Section 7.01.A)

- a. When a fence and berm are built in combination, the height of the fence and berm shall not exceed six (6) feet from grade.
- b. The Planning Director shall have the discretion to permit fences over 8' to serve institutional or recreational uses or meet safety considerations and to permit fences up to 6' in the required street side yard.

#### **F. Substitution or Waiver**

1. As a substitute for a required obscuring wall or fence, the use of existing or proposed living or man-made landscape features (such as closely spaced evergreens) that would produce substantially the same results in terms of screening, durability, and permanence may be approved. Any such substitute screening shall comply with the applicable requirements in Section 6.02.
2. When determined necessary and appropriate by the City Council in the course of reviewing and approving a site plan, fences or walls exceeding requirements listed in Table 7.1 may be approved when such fences or walls are used as screening devices on property in non-residential districts from property in residential districts.

#### **G. Non-Required Fences in Districts**

Fences, other than required obscuring walls and fences, shall be permitted in the Office Service, Commercial, Community and LCMR districts, subject to the following conditions:

1. Non-required fences are permitted in the required side and rear yards only.
2. The height of a fence shall be measured from the surrounding grade at every point along the fence line. All fences in non-residential districts shall not exceed the height specified in Table 7.1.

### **Section 7.03 -- WALLS AND FENCES IN RESIDENTIAL DISTRICTS**

Fences in Residential Districts may be located in the required front, side or rear yard subject to the following requirements:

#### **A. Height**

All fences shall not exceed six (6) feet in height above grade except for the following:

1. Fences located in required front or side street yards shall not exceed four (4') feet in height above grade.
2. Fences located outside of the required front yard and in front of the principle structure shall be at least 50% non opaque in nature and constructed so as not to create the appearance of a wall in the front of the house.

3. Fences along a lot line adjacent to an expressway may be twelve (12) feet in height. Construction details for any wall or fence taller than six (6) feet shall be submitted to the Building Department for evaluation with the permit application.

## **B. Fence Design**

1. Fences and walls in the required front yard setback may be obscuring if they do not exceed four (4') feet in height.
2. Temporary fences not associated with construction are prohibited.

## **C. Walls in Residential Districts**

Walls shall be permitted in residential districts, subject to the following requirements:

### **1. General Standards**

The maximum wall height shall not exceed six (6) feet, measured from ground level adjacent to the wall. Fill or berms shall not be permitted for the purpose of achieving a higher wall than otherwise would be permitted. When a wall and a berm are built in combination, the total height shall not exceed six (6) feet in height above grade.

### **2. Walls in Front and Side Street Yards**

Walls in front and side street yards shall not exceed four (4') feet in height above grade.

## **D. Entranceway Structures**

### **1. Entrance to Residential Developments**

Residential development entranceway structures, such as walls or columns which mark the entrance to a single family subdivision, condominium, or multiple family development, shall be permitted in the required setback area, provided that:

- a. Entranceway structures shall not exceed eight (8') feet in height and sixty-four (64) square feet in size.
- b. Entranceway structures shall not be located in the street right-of-way or private street easement.
- c. Approval of the Building Official and issuance of a building permit shall be required prior to construction.
- d. Such structures shall not restrict emergency vehicle access.

### **2. Entrances to Individual Residential Parcels**

Residential entranceway structures, such as walls, columns or gates shall be permitted to mark the entrance to individual single family residential parcels.